

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL LANDON LUCKERT,

Plaintiff,

v.

J. BRANNON,

Defendant.

No. C 13-4426 EDL (PR)

**ORDER DENYING MOTION
FOR DISCOVERY**

Plaintiff proceeds with a pro se civil rights complaint under 42 U.S.C. § 1983 and has filed a motion for discovery. Plaintiff is advised that he must send his discovery requests to defendant, not the court.

The court generally is not involved in the discovery process and only becomes involved when there is a dispute between the parties about discovery responses. Discovery requests and responses normally are exchanged between the parties without any copy sent to the court. See Fed.R.Civ.P. 5(d) (listing discovery requests and responses that “must not” be filed with the court until they are used in the proceeding or the court orders otherwise). Only when the parties have a discovery dispute that they cannot resolve among themselves should the parties even consider asking the court to intervene in the discovery process. The court does not have enough time or resources to oversee all discovery, and therefore requires that the parties present to it only their very specific disagreements. To promote the goal of addressing only very specific disagreements (rather than becoming an overseer of all discovery), the court requires that the parties meet and confer to try to resolve their disagreements before seeking court intervention. See Fed. R. Civ .P. 37(a); N.D. Cal. Local Rule 37. Where, as here, one of the parties is a prisoner, the court does not require in-person meetings and instead allows the prisoner and

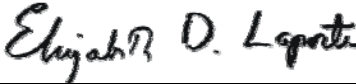
1 defense counsel to meet and confer by telephone or exchange of letters. Although the
2 format of the meet-and-confer process changes, the substance of the rule remains the
3 same: the parties must engage in a good faith effort to meet and confer before seeking
4 court intervention in any discovery dispute.

5 **CONCLUSION**

6 Plaintiff's motion for discovery (Docket No. 19) is **VACATED** and will be disregarded.

7 **IT IS SO ORDERED.**

8 Dated: February 10, 2014.



9 ELIZABETH D. LAPORTE
United States Chief Magistrate Judge

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